

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

David Clarence Mullen

Serial No.: 10/813,509

Filed: March 29, 2004

Atty. File No.: 4366-161

For: "METHOD AND APPARATUS TO
FORECAST THE AVAILABILITY OF A
RESOURCE" (As Amended)

) Group Art Unit: 2614

) Examiner: NGUYEN, KHAI N.

) Confirmation No.: 7396

) NOTICE OF APPEAL

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING TRANSMITTED VIA THE OFFICE ELECTRONIC
FILING SYSTEM IN ACCORDANCE WITH 37 CFR
§1.6(a)(4) ON

April 28, 2008

SHERIDAN ROSS P.C.

BY:

Kerrie M. Frankel

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Examiner mailed January 28, 2008 finally rejecting Claims 1-23. The amount of \$510.00 as payment for the Notice of Appeal fee specified in 37 CFR §41.20(b) is being submitted concurrently via EFS-Web with the filing of this paper.

Please credit any overpayment or debit any underpayment to Deposit Account 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

Bradley M. Knepper

Bradley M. Knepper

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Date:

April 28, 2008